

REMARKS

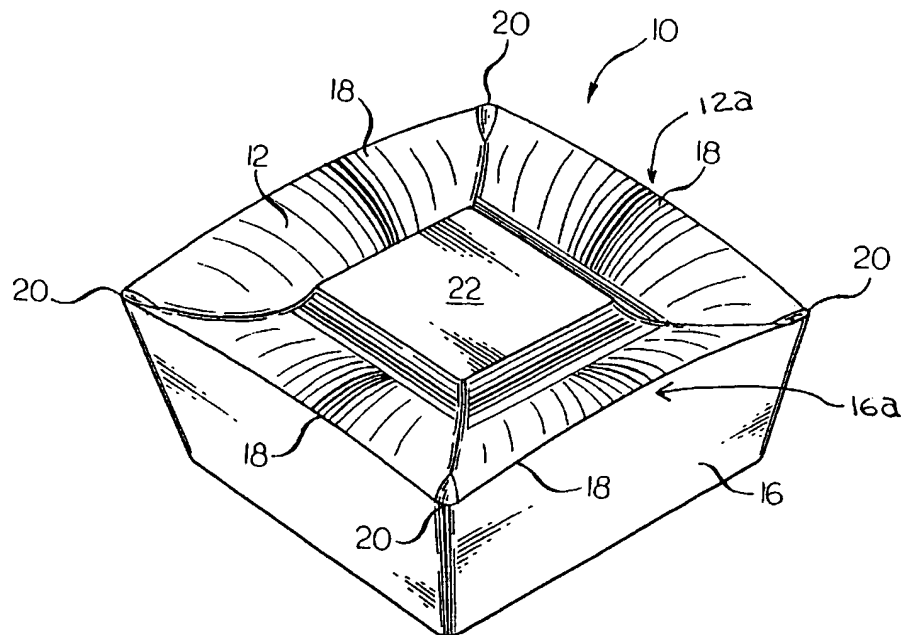
Applicants appreciate the Examiner's kindness and attention extended during the interview discussing the application on August 31, 2005. In the subject application, claims 1-12 and 14-27 are pending and claims 1-5, 9-11, 14-19, and 23-27 are rejected under 35 U.S.C. § 102(e) as anticipated by United States Patent No. 6,769,844 issued to Waggle ("Waggle"), and claims 6-8, 12, and 20-22 are rejected under 35 U.S.C. § 103(a) as unpatentable over Waggle. Applicants respectfully traverse these rejections.

§§ 102(b) and 103(a) Rejections

Applicants have herein amended the application to more clearly describe the invention and distinguish the claimed invention from the prior art. Applicants respectfully submit that a claim rejection based on anticipation under § 102(b) requires that a single prior art reference disclose each and every element of the claimed invention. See MPEP § 2131 (stating that a claim is anticipated only if each and every element as set forth in the claim is disclosed in a single prior art reference). In the rejection, the Examiner points to item 12a of Waggle Figures 1 and 2. However, item 12a is a convex portion of the rake face 12. Item 16a of Waggle is the clearance face that corresponds to the conical clearance surface of the claimed invention.

The terms "clearance surface" and "rake face" are well known in the cutting tool field. The "**rake face**" is the face of the tool that the chips slide across during a cutting operation. Certain geometric features may be incorporated on the rake face to control the stresses of machining and assist in breaking the chips off the workpiece, such as the convex portion 12a of Waggle. The clearance surface or

clearance face is the surface between the top and bottom surfaces and, typically, a clearance angle is provided during a machining operation to avoid interference and rubbing between the workpiece and the clearance surface and allow access of machining fluids to the cutting edges. Applicants have amended the claim to more clearly indicate the position of the clearance surface of the claimed invention. The clearance face 16a of Waggle is not conical shaped, but substantially flat, *see Waggle, column 2, line 67 to column 3, line 1; column 3, lines 4-8; column 4, lines 1 to 2; column 4, lines 1 to 2; column 4, lines 10 to 13; column 4, lines 60 to 63; column 5, lines 4 to 5; column 5, lines 42 to 45; column 5, lines 55 to 56; column 6, lines 12 to 13; column 6, lines 21 to 22; column 7, lines 3-6, for example*. It is the rake face 12 of Waggle that may include a conical portion 12a. The clearance face 16a of Waggle corresponds to the clearance surface 28 in Figure 4, for example, of the subject application. The rake face 12 of Waggle corresponds to the top surface 15 in Figure 4b of the subject application.

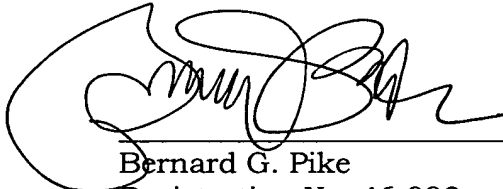


The rake face 12a of Waggle may be conical, *see* Waggle column 3, lines 33 to 40, but the clearance face 16 is substantially flat. Therefore, the disclosure of Waggle does not anticipate, suggest, or motivate one skilled in the art to produce the cutting insert of claim 1, or claims 2-12 and 14-22 dependent from claim 1, as presently presented. A cutting insert of claim 1 comprises, among other things, at least one conical clearance surface adjacent to at least one of the convex cutting edges. Waggle may comprise a conical rake face adjacent to at least one of the cutting edges.

CONCLUSION

Applicants believe that they have fully addressed each basis for rejection under § 102(b) and § 103(a). Reconsideration of the claims of the subject application and issuance of a Notice of Allowability is respectfully requested. Should the Examiner have any remaining concerns, he is requested to contact the undersigned at the telephone number below so that those concerns may be addressed without the necessity for issuing an additional Office Action.

Respectfully submitted,



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